

USSN 10/803,526
Attorney Docket No.: 2003-0125-01

Remarks

Applicants have received the Notice of Allowance along with an accompanying Notice of Allowability in which the Examiner makes reference to an Examiner's Amendment that "appears below." The Applicant also notes the Examiner's comment that "[a] telephone call was made to [Applicant's counsel] William C. Cray on January 12, 2006 to correct the typographical errors above, but did not result in an examiner's amendment being made).

Applicants are therefore confused as to whether the Examiner has made the corrections "to the typographical errors noted above" or not by entering the referenced Examiner's Amendment.

In the Event that the Examiner has not made the corrections noted in the Examiner's Amendment in the Notice of Allowability then applicants have no further comments, believing that the recitations of "apparatus" in the claims as filed that the Examiner as to the proposed change of "apparatus" to "source" proposed to amend were correct as filed and fully meet the requirements of 35 U.S. C. §112. Applicant does, however agree to the proposed change in claims 11, 40 and 69, however, there should also be a change in the same claims of the following "comprise" to "comprises." These changes are needed for the correction of antecedent basis and for proper grammar, and for no other reasons, including specifically for the distinction of any prior art and are made without the intent on having the effect of narrowing the claims in any fashion.

Claims 1, 30 and 59 have been amended to change "target ignition" to "plasma formation" a more correct and definite term for the action that occurs at the "plasma initiation site" and for no other reason and specifically not for defining over any prior art and without the intent of or having the effect of narrowing the claims in any way.

Claims 7-10 and 36-39 should be amended to add "the droplet detector comprising a plurality of droplet detectors," to the front of line 2 of the claims and "comprises" should be changed to "comprising". These changes are needed for proper antecedent basis and for no other reason, particularly for defining over any prior art, and are not made without the intent of or having the effect of narrowing the claims in any fashion.

USSN 10/803,526
Attorney Docket No.: 2003-0125-01

In the event that the Examiner has entered the Examiner's Amendment contained in the Notice of Allowability, then the applicants comments are as follows:

These changes from "apparatus" to "source" are not believed by applicants to be necessary under 35 U.S.C. § 112, since the "source" claimed in the independent claims is in fact also an "apparatus." However, to speed prosecution and because applicants believe that these amendments so proposed by the Examiner do not serve to change the scope of the claims in any way, either narrowing or broadening, and are not made with the intent of or having the effect of narrowing the claims in any way. Applicants consent to this change.

Claims 11, 40 and 69 should be amended as the Examiner proposed in the Examiner's Amendment and also be changed such that the following "comprise" reads "comprises." These changes are needed for the correction of antecedent basis and for proper grammar, and for no other reasons, including specifically for the distinction of any prior art and are made without the intent of or having the effect of narrowing the claims in any fashion.

The amendments proposed by the Examiner to claims 7-10 and 36-39 should not be made as the Examiner has proposed, but, rather, "the droplet detector comprising a plurality of droplet detectors," should be added to the front of line 2 of the claims and "comprises" should be changed to "comprising". These changes are needed for proper antecedent basis and for no other reason, particularly for defining over any prior art and are not made with the intent of or having the effect of narrowing the claims in any fashion.

Due to the Restriction Requirement and the withdrawal of claims, the inventorship in the present application is now improper, not due to any deceptive intent. Applicants hereby request that the Examiner remove inventors, Thomas D. Steiger and Norbert R. Bowering pursuant to 37 CFR §1.48(b), since they are not inventors on any of the remaining claims.

USSN 10/803,526
Attorney Docket No.: 2003-0125-01

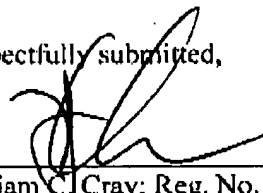
Conclusion

If the Examiner has entered the Examiner's amendment noted in the Notice of Allowability then Applicants make the comments and propose the changes noted herein. If the Examiner has not entered the Examiner's amendment, then Applicants submit an amendment under Rule 312 as noted herein.

The Commissioner is hereby authorized to charge the total amount of \$1,860.00 to the Deposit Account of Assignee Cymer, Inc., Deposit Account No. 03-4060 for the processing fee of \$130.00 to change the named inventors. Also, please charge to our Deposit Account 03-4060 the following fees: \$1400.00 for the issue fee, \$300.00 for the publication fee and \$30.00 for the advance copy fee.

Applicants do not believe any other fees are due in connection in this application, however, if any other fees are due, the Commissioner is hereby authorized to charge the noted Deposit Account for any such charges or fees.

Respectfully submitted,



William C. Cray; Reg. No. 27,627

April 18, 2006

Cymer, Inc.
17075 Thornmint Court
Legal Dept. MS 4/2C
San Diego, CA 92127
Customer No. 21773
Telephone: (858) 385-7185
Facsimile: (858) 385-6025

REST AVAILABLE COPY